

SECTION 7 - Restrictions Within the City of Bloomington Right of Way

Restrictions with respect to when and how work should be performed in City of Bloomington Rights-of-way:

1. Permits issued by the Authorized City of Bloomington Representative pertain only to work within the City owned or controlled rights-of-way and does not allow entry onto private property adjacent to such rights-of-way, nor does it allow alteration or disturbance of any facilities or installations owned by others that exist within the right-of-way.
2. No permits may be issued for excavations within the City of Bloomington Right-of-Way that would conflict with Special Events. Examples of special events would be the City 4th of July parade, Indiana University sporting events, Indiana University Dorm move-in and move-out, Indiana University Graduation, Lotus World Art and Music Festival, or any event so designated by the Director of Public Works.
3. No permit will be issued that conflicts with previously scheduled work by City of Bloomington Utilities or Street Department, or previously permitted work by private parties.
4. No work shall be performed on arterial streets between the hours of 6:00 a.m. and 9:00 a.m. and/or between 4:00 p.m. and 6:00 p.m.. Other time restrictions may be placed on work in arterial streets at the discretion of the City of Bloomington Department of Public Works. Non-emergency construction activity between 10 p.m. and 6 a.m. shall require a variance from the noise ordinance as detailed in Chapter 14.09 NOISE CONTROL of the City of Bloomington Municipal code.
5. All Street cuts on residential streets shall be completed within 5 days. Street cuts on Arterial and Collector streets shall be completed within 2 days. Any excavations of a longer duration require prior approval from the City of Bloomington Engineering Department.
6. Any privately owned line or facility that will be placed in the City of Bloomington Right-of-Way shall require an encroachment resolution from the Bloomington Board of Public Works prior to the issuance of a Right-of-Way Excavation Permit. The exception to this requirement are service connections that are located within that portion of the ROW that abuts the owners property and utilize the shortest route from the owners property to the affected utility.

7. Plans and profiles for any work affecting grade and alignment of any City street, alley, or sidewalk shall be submitted to the City Engineer for approval prior to starting any such work.
8. Permits shall apply to emergency repairs; however, a delay of 48 hours is granted, excluding weekends and holidays, following the beginning of such repair before the permit for the same shall become a penalty.

Please Note: The City of Bloomington Department of Public Works reserves the right to amend such time parameters and restrictions as the situation may dictate as appropriate.

Trees in the City of Bloomington Right of way

Working near or cutting trees in the City Right of way is subject to the following conditions:

1. Existing Trees. Every effort should be made to protect existing trees within the City ROW. The permittee shall protect the root growth of significant trees and shrubbery within the public right-of-way and properties adjacent thereto. If proposed work is close to existing trees, the City's Urban Forester should be consulted for methods of protecting or relocating tree(s).

2. Cutting Trees – The permission granted by a ROW Excavation Permit does not confer upon the Permittee the right to cut, remove, or destroy trees or shrubbery within the legal limits of the right-of-way or easements that are not specifically identified on the plan attached to this permit, or relieve permittee from obtaining any consent required from the owner of the property adjacent thereto. If it is requested that a tree in the city ROW be cut down in the course of the project, prior permission is required. The City's Urban Forester shall be consulted before any tree in the City Right of Way is cut or trimmed.

****The City of Bloomington Urban Forester can be contacted through the Department of Parks and Recreation at 349-3700.***